

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

IT IS HEREBY STIPULATED, by and between the parties to this action, through their designated counsel, that the above-captioned action be and hereby is dismissed with prejudice pursuant to Rule 41(a) of the Federal Rules of Civil Procedure, with each party to bear its own costs, expenses and attorneys' fees.

SO STIPULATED.

Dated: November 2, 2005 DON A. LESSER & ASSOCIATES

By: /s/
DON A. LESSER
Attorneys for Plaintiff

1 Dated: November 2, 2005

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

2 By: _____/s/

3 KATHY M. SARRIA

4 Attorneys for National Union Fire Insurance Co.

5 Dated: November 2, 2005

KRIEG, KELLER, SLOAN, REILLEY & ROMAN LLP

6 By: _____/s/

7 KATHY M. SARRIA

8 Attorneys for New Hampshire Company incorrectly
9 sued as Certain Underwriters at Lloyd's London

10 Dated: November 2, 2005

LEWIS BRISBOIS BISGAARD & SMITH LLP

11 By: _____/s/

12 ROBERT A. WOOTEN, JR.

13 MICHAEL K. JOHNSON

14 Attorneys for Royal Insurance Company of America

15 Dated: November 2, 2005

LEWIS BRISBOIS BISGAARD & SMITH LLP

16 By: _____/s/

17 KATHERINE S. CATLOS

18 Attorneys for St. Paul Mercury Insurance Co.

19 Dated: November 2, 2005

DUANE MORRIS LLP

20 By: _____/s/

21 STEPHEN SUTRO

22 Attorneys for Twin City Fire Insurance Company

23 Dated: November 2, 2005

SEDGWICK, DETERT, MORAN & ARNOLD LLP

24 By: _____/s/

25 BRUCE D. CELEBREZZE

26 LAURA GOODMAN

27 Attorneys for Certain Underwriters at Lloyd's London

1 Dated: November 2, 2005

TUCKER ELLIS & WEST LLP

2 By: _____/s/

3 ALEC H. BOYD

4 Attorneys for TIG Specialty Insurance

5 Company of Michigan

6 IT IS SO ORDERED.

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8 DATED: November 2, 2005

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11 THE HONORABLE JEFFREY S. WHITE
12 United States District Court Judge
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